

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL: POLICE

Subject: **DISPOSAL OF FIREARMS AND NUISANCE WEAPONS**

INTRODUCTION

The intent of this policy is to establish procedures for the disposal of confiscated firearms and/or illegal/nuisance weapons.

POLICY

Confiscated firearms and illegal weapons enumerated in Penal Code Section 12029 shall be destroyed in strict accordance with Penal Code section 12028. Under no circumstances shall firearms or firearm component parts be sold, auctioned, or otherwise transferred to any private party. The exceptions to this policy are as follows:

- A. Firearms may be retained for department use or training purposes.
- B. Firearm component parts may be retained for department use only.
- C. Firearm accessories (scopes, slings, clips, etc.) may be retained for department use.

RESPONSIBILITY

The Evidence/Property Technician shall be responsible for disposing of firearms and other illegal (nuisance) weapons in accordance with law, court orders, and upon approval of the Detective Sergeant. The Evidence Technician shall retain a record of any firearms that have been retained for department use. That record shall include type of weapon, serial number, intended use, and name of officer causing the weapon to be retained. A copy of the retention documentation should also be placed in the original case file.

RETENTION OR DISMANTLING OF FIREARMS

The retention or dismantling of any firearm for component parts shall require written approval from the Chief of Police. A request to retain or dismantle a firearm shall include what parts/accessories are to be retained and the intended purpose. Under no circumstances shall serialized parts be retained. Only certified range masters/or department armorers are authorized to dismantle firearms for parts and/or accessories.

Reference:

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